



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/669,824)
In re application of: JIANG, Cai-Zhong *et al.*)
Filed: September 23, 2003)
Art Unit: 1638)
Examiner: KRUSE, David H.)
Docket No. 514442001620)
Customer No. 47334)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT AND SECOND PRELIMINARY
AMENDMENT**

Sir:

This response to the pending restriction requirement and second preliminary amendment is being mailed on or before June 3, 2006, and is thus timely filed.

Applicants hereby elect Invention VII, drawn to an isolated nucleotide and/or a transgenic plant comprising an isolated polynucleotide of SEQ ID NO: 13 (G3456 polynucleotide), encoding polypeptide SEQ ID NO: 14 (G3456 polypeptide), classified in class 800, subclass 290, for example.

Entry of this amendment is respectfully requested. After entry of the presently amended claims, the products of the claims will share a common structural feature (SEQ ID NO: 13 and/or encoded polypeptide SEQ ID NO: 14). The election is made without traverse.

In addition, Applicants submit herewith a substitute sequence listing in computer readable form and a statement under 37 CFR 1.821(f).

Please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims begin on page 6 of this paper.

Remarks begin on page 10 of this paper.